

TREMONTON CITY CORPORATION
LAND USE AUTHORITY BOARD
August 3, 2016

Members Present:

Steve Bench, Chairman/Zoning Administrator
Chris Breinholt, City Engineer
Shawn Warnke, City Manager
Paul Fulgham, Public Works Director
Marc Christensen, Parks and Recreation Director
Linsey Nessen, Acting City Recorder

Chairman Bench called the Land Use Authority Board Meeting to order at 9:09 a.m. The meeting was held August 3, 2016 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Steve Bench, Engineer Chris Breinholt, Manager Shawn Warnke, Director Paul Fulgham, Director Marc Christensen, and Acting City Recorder Linsey Nessen were in attendance.

1. Approval of agenda:

Motion by Director Fulgham to approve the August 3, 2016 agenda. Motion seconded by Director Christensen. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye, Director Fulgham – aye, and Director Christensen – aye. Motion approved.

2. Approval of minutes: May 4, 2016

Motion by Engineer Breinholt to approve the minutes of May 4, 2016. Motion seconded by Director Fulgham. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye, Director Fulgham – aye, and Director Christensen – aye. Motion approved.

3. New Business: The following items were discussed out of order.

a. Discussion of a lot split in River Valley Subdivision – Matt Hansen, Sierra Homes

Mr. Matt Hansen stated there are six lots to discuss; Lots 22 and 23 in River Valley 4-Plex Subdivision Phase 2 and Lots 156 and 161 in Phase 6 are the large lots they would like to split. Mr. Hansen also asked about doing 6-plexes rather than 4-plexes on Lots 158 and 160 in Phase 6. Manager Warnke asked what the current zoning is for these lots. Chairman Bench stated they are in the RM-16 zone, meaning sixteen units per acre. Chairman Bench clarified that the large lots being split will have two 4-plexes. Mr. Hansen stated that was correct and Lots 158 and 160 will remain the same, but will have 6-plexes rather than 4-plexes built on them.

Chairman Bench asked if a lot split follows the same process as subdivision. Engineer Breinholt stated the boundary of the subdivision is not being changed and follows a similar process. Manager Warnke stated there is a provision in the State Code that addresses lot splits and includes provisions that must be met. Manager Warnke asked

about doing a lot line adjustment. Chairman Bench stated a lot line adjustment doesn't allow for the creation of more buildable lots.

Chairman Bench stated their best bet would be to follow the plat amendment process. Manager Warnke stated he would like to see the plat layout and how the buildings will fit on the lots. Chairman Bench asked Mr. Hansen to have a designer create a plat showing the layout of the buildings with setbacks, parking, and on-site drainage and come back and meet with the Board.

Mr. Hansen stated they will work on site plan designs and a plat survey and bring them back in to a future meeting.

b. Discussion and consideration of approving a preliminary plat for Mark Hirschi Subdivision – Ben Johnston

Mr. Johnston stated the plat has been modified to reflect the ordinance change for Lot Splits that the City recently approved. The County has reviewed the plat along with Engineer Breinholt. Chairman Bench verified the correct standards notes were included on the plat. Manager Warnke stated there is some noticing required on the plat as this property is within 300 feet of property currently in the Agricultural Protection Area.

Mr. Johnston asked whether to use a County address or City address for this property. Chairman Bench stated they should use a County address so as not to confuse the Post Office for this one house. Engineer Breinholt asked if the surrounding property is still going to be annexed into the City. Mr. Johnston stated he spoke with the owners and they are not interested in annexing at this point in time.

Mr. Mark Hirschi asked about the fire hydrant and whose water line it hooks into. Director Fulgham stated Mr. Hirschi's contractor will put the hydrant in and hook directly into the water main. The contractor will use the City's design standards for the type of hydrant. Engineer Breinholt stated that information will need to be shown on the preliminary plat.

Chairman Bench stated, per the new Lot Splits Ordinance, a separate document needs to be recorded with the property that states that if and when the City runs the sewer line to the property, the property owners will connect, and pay the fees associated with connecting, to the sewer system. Chairman Bench also stated a fee-in-lieu for constructions improvements will need to be paid by the Hirschi's that will be around \$2,500. Mr. Hirschi clarified he just has to pay the fee-in-lieu, not put in the storm drain and curb, gutter, and sidewalk. Chairman Bench stated that was correct.

Chairman Bench stated the plat will need to go to the next Planning Commission meeting for preliminary approval. Mr. Hirschi requested to be on the Land Use Agenda for final approval the day after the Planning Commission meeting.

Motion by Director Fulgham to approve the preliminary plat for Mark Hirschi Subdivision with adding the construction items needed on the preliminary plat, namely the fire hydrant. Motion seconded by Engineer Breinholt. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye, Director Fulgham – aye, and Director Christensen – aye. Motion approved.

- c. Discussion and consideration of approving a preliminary plat for Arbor View Subdivision – Micah Capener

Engineer Breinholt stated there will need to be some on-site detention for this subdivision. Manager Warnke asked if there will be any connection with the City's storm drain system. Engineer Breinholt stated there should be. Director Fulgham stated there will need to be a fire hydrant at the end of the line.

Chairman Bench asked if the City will make the connection across the canal of curb, gutter, and sidewalk. Engineer Breinholt stated the City would need to do that portion as there is not a development that would take on those improvements. Manager Warnke asked about a bridge over the canal. Director Fulgham stated there is not currently a bridge over the canal that will accommodate pedestrians. A sidewalk bridge could be added over the canal.

Manager Warnke asked about placing an irrigation box to pump out of the canal for secondary water. Mr. Capener stated they are planning to install irrigation lines so that secondary water could be set up and asked who would administer that. Chairman Bench stated the system would be added to the construction drawings and would follow City standards. Engineer Breinholt stated he would like to see a small area for detention and some above ground improvements for a pressure irrigation station will be required. Director Fulgham asked if Mr. Capener got water shares with the purchase of this land. Mr. Capener stated he did not get any water shares.

Chairman Bench stated there needs to be an easement for the temporary turn-around. Mr. Capener asked why they would install hard surface for a temporary turn-around and then tear it out. Director Fulgham stated that is the new City standard because nothing has been installed in other developments and the City can't get in the development to plow snow. The temporary turn-around is installed where there will be a future roadway so it doesn't all have to be torn out. Mr. Capener asked if culverts would be needed as they will be putting drainage in under. Engineer Breinholt stated culverts would be needed under the driveways. If culverts are not done, a box would need to be placed at each lot.

Mr. Capener asked to get the Board's review notes so he can get the adjustments made and move forward.

- d. Discussion and consideration of approving a preliminary plat for Tremont Center – Micah Capener

Mr. Capener asked if there were any other adjustments that needed to be made, such as dumpsters, which are currently being updated on the plat. Manager Warnke stated the orientation of the building surprised him as he thought the buildings were going to be facing Main Street, so there might be a few more changes once more of the landscape plans, final plats, etc. are presented and the whole plan can be seen.

Manager Warnke asked about the drive-throughs. Mr. Capener stated all four end buildings have drive-throughs windows. If a business comes in that doesn't need a drive-through window, the spot can be used as parallel parking instead. Manager Warnke stated he didn't feel there was enough room for the drive-throughs as currently designed. Mr. Capener stated there is room for 3 cars to line up. Manager Warnke stated he didn't think that was enough room and it would cause problems.

Chairman Bench stated the plat needs to be refined a little more and the space shown. Mr. Capener stated he would work on getting the drawing updated.

e. Discussion of annexation of property – Kip Tanner

Mr. Kip Tanner stated he is proposing annexing into the City $\frac{1}{2}$ or maybe $\frac{3}{4}$ acres of property that his home will sit on and leaving the parcel that his shop sits on in the County. Manager Warnke asked what the current zoning is. Chairman Bench stated the current zoning is $\frac{1}{2}$ acre lots.

Mr. Micah Capener stated that Mr. Tanner already has the information ready to submit to the County to subdivide the property and put in a well, but they are here to discuss whether he should stay in the County or work with the City to annex and build in the City. The subdivision process would be done in the County before the property is annexed. Director Fulgham stated the biggest issue is that there is no City water to this property. Mr. Tanner would have to run an eight inch line from Main Street to the property. Mr. Tanner stated Linford Landis quoted him between \$20,000 and \$22,000 to run that line

Mr. Capener asked if the City would allow a nearby fire hydrant to be extended to this property and a new fire hydrant placed if the County would approve it so Mr. Tanner wouldn't have to put sprinklers in his house for fire protection. Manager Warnke asked if that is a City line. Director Fulgham stated it is. Engineer Breinholt asked what size the line is. Director Fulgham stated it is an eight inch line. Engineer Breinholt stated if that was allowed, the bridge to the property would have to be able to support fire vehicles. Mr. Johnston stated Mr. Tanner will be improving the bridge to support his semi truck. Director Fulgham stated they could extend the water main and place a new hydrant, but they could not move the existing hydrant.

Mr. Capener asked what the City could help with. Director Fulgham stated the City could help with fire hydrants, service saddles, and service connections to the existing homes. Mr. Capener asked how much that would save Mr. Tanner. Director Fulgham stated it is probably in Linford Landis' bid what those items would cost.

Director Fulgham suggested weighing the cost and the risk between running the City water line and digging a well. Mr. Capener asked if a septic tank will be allowed on this parcel per the new Lot Split Ordinance. Chairman Bench asked how big the parcel is that Mr. Tanner is subdividing off of. Mr. Tanner stated it is roughly four acres. Chairman Bench stated the ordinance allows one house per four acres. Mr. Capener stated the original parcel Mr. Tanner bought was 33 acres. Mr. Capener clarified if Mr. Tanner subdivided, annexed into the City, and improved the water line, if a septic tank would be allowed. Chairman Bench stated a septic tank would be allowed per his interpretation of the ordinance.

Mr. Capener asked about impact fees if Mr. Tanner started building his home in the County and then annexed into the City. Chairman Bench stated he would be required to pay the impact fees for water. Manager Warnke stated the other impact fees for storm water, etc. could also be charged during the annexation process.

f. Walk ins*

Mr. Cordell Thompson stated he is interested in purchasing a lot in Garfield Subdivision but there is a disclosure from the seller that states there could possibly be an old drainage pipe buried on the lot and there is an agreement dated January 17, 2008 with the City for storm water discharge as well. Mr. Thompson asked if that agreement is still in place. Chairman Bench stated any drainage agreement would still be active. Engineer Breinholt stated that agreement just allows storm water to run off the south end of the street to the field. There wasn't an easement in place or anything, just an agreement.

Mr. Thompson stated on Google Earth, about twenty feet from the curb and gutter, there has been a cement structure or something there at one point. Director Fulgham stated there could be something there but it would be irrigation related, not City. Director Fulgham also pulled up the USGS and Farm Services study from 2007 where they mapped out field drains and it doesn't show any field drains on that lot.

4. Comments/Reports:

a. Chairman/Zoning Administrator – Steve Bench

No comments.

b. City Engineer – Chris Breinholt

No comments.

c. Recreation Director – Marc Christensen

No comments.

d. Public Works Director – Paul Fulgham

No comments.

e. City Manager – Shawn Warnke

No comments.

5. Public comments: Comments limited to five minutes.

No public comments.

6. Adjournment:

Motion by Director Fulgham to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 12:33 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes of the Land Use Authority Board Meeting held on the above referenced date. Minutes prepared by Acting City Recorder Linsey Nessen.

Dated this ____ day of _____, 2016

Linsey Nessen, Acting City Recorder

*Utah Code 52-4-202, (6) allows for a topic to be raised by the public and discussed by the public body even though it was not included in the agenda or advance public notice given; however, no final action will be taken.